



ABSTRACT

Women Development Child Welfare & Disabled Welfare (Estt) Department, Hyderabad – Treating the period from 01/02/2006 to 29/06/2007 as compulsory wait for posting in respect of Kum. J. Pramodini Rani, Regional Deputy Director, Hyderabad – Orders – Issued.

WOMEN DEVELOPMENT, CHILD WELFARE AND DISABLED WELFARE (ESTT) DEPARTMENT

G.O.Rt.No.295,

Dt.07th August, 2010.

Read the following:-

1. From GOI, Ministry of Human Resource Development, Department of Women & Child Development, New Delhi, Lr.No17-6/2005-WBP, Dt.30.09.2005.
2. D.O.Lr.No.7578/E1/2005, dt.30.12.2005 from the Director, Women Development & Child Welfare Department, Hyderabad
3. G.O.Rt.No.37, Women Development, Child Welfare & Disabled Welfare Department, dt.31.01.2006.
4. G.O.Rt.No.70, Women Development, Child Welfare & Disabled Welfare (Estt) Department, Dt.21.03.2007.
5. G.O.Rt.No.173, Women Development, Child Welfare & Disabled Welfare (WP)Department, Dt.26.06.2007.
6. From Kum. J. Pramodini Rani, Regional Deputy Director, Hyderabad, Representation, Dt.27.11.2009.

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ORDER:

The scheme of ICDS World Bank Assisted Scheme commenced from 07/04/1999 in terms of F.O.2-2/97/WD Government of India/Ministry of HRD, New Delhi for a period 5 years from 1998-1999 to 2003-2004 and Government of India had further extended the project for a period of another 18 months from 31/03/2004 to 30/09/2005 and finally in the letter 1st read above conveyed sanction of Government of India for continuation of SPMU beyond 30/09/2005 for a period of 4 months upto 31/01/2006 for winding up activities pertaining to SPMU, with a stipulation not to fill up the vacant posts.

2. In anticipation of the reversions to the lower posts in view of the above winding up of the said Unit the Deputy Directors, namely Smt. R. Suez, Kum. J. Pramodini Rani and Smt. Nazneen Banu who were temporarily promoted to the said posts to work in the said SPM Unit had filed O.A.No.548/2006 seeking directions for declaration of their probation and continuance of them in the post of Deputy Director. The Hon'ble Tribunal passed the following orders on 28/01/2006.

“In view of the above facts and circumstances of the case, if the scheme is extended or if the Government of Andhra Pradesh has decided to continue the posts by not abolishing in view of discontinuation of the scheme by the Government of India, the Respondents shall consider to continue the Applicants in the present post, pending further Orders in the O.A.”

3. In the D.O. letter 2nd read above, Director, Women Development & Child Welfare, Hyderabad has submitted proposals for adjustment of the staff working in SPMU that would be rendered surplus consequent on winding up of SPMU w.e.f. 31/01/2006 and accordingly requested for orders in the matter.

4. Keeping in view of the fact of cessation of the posts in SPMU under Women Development & Child Welfare Department with effect from 31/01/2006 AN orders were issued in the G.O.3rd above reverting the following three the then junior most officers in the category of Regional Deputy Director/Deputy Director to the lower category i.e. Assistant Director/Project Director w.e.f. 31/01/2006 AN.

1. Smt.R.Suez.
2. Kum.J.Pramodini Rani.
3. Smt.Nazneen Banu.

(PTO)

5. Aggrieved by the above reversions Smt. R. Suez and Kum.J.Pramodini Rani and Smt. Nazneen Banu filed O.A.No.658 and 675 of 2006 respectively in the Hon'ble APAT and the Hon'ble Tribunal passed orders on 10/02/2006 suspending the impugned orders issued vide 3rd read above and the consequential proceedings issued by the Director, Women Development & Child Welfare Department, Hyderabad 7578/E1/05/II, dt.31/01/2006 on the point that the reversion orders were issued without waiting for the deletion of posts sanctioned under SPMU from G.O.Ms.No.378, Finance (SMPC) Department, dt.08/11/2005 by the Finance Department. These orders were issued, initially for a period of one week, then extended from time to time and they are vacated on 22/02/2006 pending hearing of the O.As in view of the orders issued in G.O.Ms.No.35, Finance (SMPC) Department, dt.16/02/2006 amending the earlier orders in G.O.Ms.No.378, Finance (SMPC) Department, dt.08/11/2005 to the effect of discontinuing the posts under SPMU, Hyderabad with effect from 01/02/2006.

6. In view of the above vacation of the Interim Orders by the Hon'ble APAT the said three individuals filed W.P.No.3936/2006 and the Hon'ble High Court passed Interim suspension orders on 02/03/2006 in W.P.M.P. No.4913 on the operation of the orders issued vide 3rd read above.

7. The W.P.No.3936/2006 was disposed of on 10/07/2006 directing the Hon'ble Tribunal to dispose of the O.A. within a period of one month from the date of receipt a copy of the order. It was held that the Interim orders granted by the Hon'ble High Court shall continue to remain in force until the O.As. disposed of.

8. In view of the Contempt Case in C.C.No.872/2006 filed in W.P.No.3936/2006 an SLP (C) No.5098/2007 was filed by the Government of Andhra Pradesh on 15/05/2007 against the orders of the Hon'ble High Court, dt.10/07/2006 in W.P.No.3936/2006

9. In the meanwhile vide G.O.4th read above Smt. R. Suez, Assistant Director was re-promoted as Deputy Director and posted in the vacancy caused due to the retirement of Smt. B. Siddamma and she joined in the promotion post on the F.N. of 28/03/2007.

10. In the Government Orders vide 5th read above Kum. J. Pramodini Rani, Project Director, District Women & Child Development Agency, Hyderabad were re-promoted as Deputy Director and posted as Regional Deputy Director, Women Development & Child Welfare Department, Hyderabad where she joined on the FN of 30/06/2007.

11. While the matter stood thus, the SLP filed by the Government of Andhra Pradesh was dismissed by the Hon'ble Supreme Court of India vide their Orders passed on 10/07/2007.

12. The O.As.658 and 675 of 2006 were disposed of by the Hon'ble APAT on 01/05/2008 read with Corrigendum issued by the them on 04/07/2008 as follows.

"Keeping all the above facts and circumstances in mind and also in view of the fact that the applicant No.1 has been promoted and it is understood that the applicant No.2 has withdrawn the case and also in view of the fact that the unofficial respondents who are admittedly seniors to the applicants have also taken charge of the promotional post on 02/02/2006, I do not find any merit in the case of the applicant No.3 for consideration at this distance of time. It is a settled law that specific claims with specific financial implications for a specified period of time does not give any right to the concerned employees to remain in a particular post after the winding up of the schemes, when particularly they are run by the aid of the World Bank through Government of India. The objective of deputation of the applicant has also been served in view of the disbandment of the project. The applicant was also temporarily promoted and such temporary promotion ensured to her benefit to that extent. The applicant No.3 will naturally have to wait for her chance to be considered for the next promotion in her own turn. Therefore, the VMA 238/2007 in O.A.No.548 is, accordingly, allowed and the interim orders are vacated. The O.A.s are disposed of accordingly."

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13. The Contempt Case in CC.No.872/2006 in W.P.No.3936 was dismissed on 30/10/2009 by the Hon'ble High Court of Andhra Pradesh keeping in view of the disposal of the main O.A. on 01/05/2008.

14. Kum. J. Pramodini Rani, Regional Deputy Director, Hyderabad vide her representation 6th read above had requested for treating the period from 01/02/2006 to 29/06/2007 as compulsory wait.

15. After careful examination of the matter, Government hereby decide to treat the period from 01/02/2006 to 29/06/2007 as compulsory wait for posting without recovery of the amount from the Officers responsible for reversion in respect of Kum. J. Pramodini Rani, Regional Deputy Director, Women Development & Child Welfare Department, Hyderabad.

16. Accordingly, the period from 01/02/2006 to 29/06/2007 in respect of Kum. J. Pramodini Rani, Regional Deputy Director, Women Development & Child Welfare Department, Hyderabad is treated as compulsory wait for posting without recovery of the amount from the Officers responsible for the said reversion.

17. The Director, Women Development & Child Welfare Department, Hyderabad shall take further necessary action to draw her Pay and allowance to which she was eligible.

18. This order issues with the concurrence of the Finance Department vide their **U.O.No.17541/361/FR.I/2010, Dt.14/07/2010.**

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M. CHAYA RATAN,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.**

To

The Kum. J. Pramodini Rani, Regional Deputy Director, Hyderabad.

through Director, Women Development & Child Welfare Department, Hyderabad

The Director, Women Development & Child Welfare Department, Hyderabad

Copy to :

The Secretary, A.P. Women's Commission. Hyderabad.

The Executive Director, AP Women's Cooperative Finance Corporation Ltd., Hyderabad.

The Pay & Accounts Office, Hyderabad

The Accountant General, AP, Hyderabad

SC/SF

// FORWARDED BY ORDER //

SECTION OFFICER.